

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) ECF Case
---	-------------------------------

This document relates to: *All Actions*

DECLARATION OF ROBERT T. HAEFELE

1. I am an attorney admitted to practice before this Court and I am an attorney at the firm of Motley Rice LLC, counsel for Plaintiffs in *Burnett, et al. v. Al Baraka Investment & Development Corp. et al.*, Civil Action No. 03 CV 9849. I submit this declaration to identify and transmit the exhibits referenced in Plaintiffs' November 13, 2015 letter to the Court regarding the Sanabel defendants and in further support of Plaintiffs' renewed motion for sanctions for failure to comply with discovery obligations;
2. As is indicated by the volume of communication between Plaintiffs' counsel and Sanabel's counsel, the parties have, over the course of years, engaged in multiple meet and confer sessions to encourage Sanabel to comply fully with its obligations. Most recently, the parties met and conferred on September 3, 2015 and again on November 11, 2015. In both instances, counsel for Sanabel, Mr. Manning, confirmed that the only Sanabel representative he has dealt with and the only person that he understands has authority to speak for Sanabel is Dr. Hillali; that Mr. Manning had not spoken to Dr. Hillali in months even before receipt of the August 2015 deposition notice; and that despite Mr. Manning diligently reaching out to Dr. Hillali by all reasonable means, Dr. Hillali has not responded to any of Mr. Manning's communications. Mr. Manning

has also indicated that it is his view that Sanabel has complied with its discovery obligations and he is aware of no additional documents to produce.

3. Attached hereto are true and accurate copies of the following exhibits referenced in the Plaintiffs' November 13, 2015 letter to the Court accompanying this declaration:

- **Exhibit 1** is a true and accurate copy of a letter Robert T. Haefele, counsel for the Plaintiffs, to The Honorable Frank Mass, dated June 24, 2013;
- **Exhibit 2** is a true and accurate copy of a letter Robert T. Haefele, counsel for the Plaintiffs, to The Honorable Frank Mass, dated July 26, 2013;
- **Exhibit 3** is a true and accurate copy of excerpts from the transcript of the October 29, 2013 Hearing before The Honorable Frank Maas;
- **Exhibit 4** is a true and accurate copy of the Plaintiffs' First Consolidated Set of Requests for Production of Documents Directed to Sana-Bell, Inc. dated September 13, 2007;
- **Exhibit 5** is a true and accurate copy of the Plaintiffs' First Consolidated Set of Requests for Production of Documents Directed to Sanabel al Kheer, Inc. dated December 10, 2010;
- **Exhibit 6** is a true and accurate copy of the Plaintiffs' Supplemental Requests for Production of Documents Directed to Sanabel al Kheer, Inc., dated July 31, 2012;
- **Exhibit 7** is a true and accurate copy of the Plaintiffs' 30(B)(6) Notice of Oral Deposition of Sanabell, Inc. and Sanabel al Kheer, Inc., dated August 25, 2015;
- **Exhibit 8** is a true and accurate copy of a letter from Robert T. Haefele, counsel for the Plaintiffs, to The Honorable Judge Frank Mass, dated September 4, 2015 (ECF No. 3030);

- **Exhibit 9** is a true and accurate copy of an e-mail from Christopher Manning to Robert Haefele, dated October 13, 2015;
- **Exhibit 10** is a true and accurate copy of the Declaration in Support of Pre-Trial Detention, *United States of America v. Soliman S. Biheri*, Case No. 03-365-A, dated August 14, 2003;
- **Exhibit 11** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 027439 – 027439 (The Sana Bell Inc., Notes to Financial Statements for year ended December 31, 1994);
- **Exhibit 12** is a true and accurate copy of excerpts from the transcript of the May 19, 2010 Deposition of Yaqub Mirza, *In re Terrorist Attacks on September 11, 2001*;
- **Exhibit 13** is a true and accurate copy of the Order of The Honorable Peter J. Messitte, *In re Case No. 98-CV-4177* (PJM), dated September 29, 2000;
- **Exhibit 14** is a true and accurate copy of documents produced by in the litigation bearing bates stamps KMR 02210, KMR 03748, KMR 03751, NL 0017183, NL 0017532, NL 0018448 (Collection of documents Sanabel sent to International Islamic Relief Organization);
- **Exhibit 15** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 019223 – 019225 (Notice of Revocation of Certificate of Authority to Transact Business in Virginia);
- **Exhibit 16** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 019226 – 019237 (Certificate of Incorporation, Articles of Incorporation of The Sana-Bell, Inc.);

- **Exhibit 17** is a true and accurate copy of a document produced by in the litigation bearing bates stamp KMR - 03750 (Letter re: Sana-Bell, Inc. Board of Trustees, dated April 10, 1998);
- **Exhibit 18** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 023148 (Letter to Adbu Al Rahim Al Saati from Omar Fisher, dated June 15, 1993);
- **Exhibit 19** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH000697 (Letter to Sulayman Al-Bhairi (BMI) from Dr. Hassan Bahafzallah (International Islamic Relief Organization), dated August 18, 1998);
- **Exhibit 20** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 019080 (Excerpt of Muslim World League 2001 Annual Report);
- **Exhibit 21** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 024049 (Dr. Hassan A.A. Bahafzallah's business card);
- **Exhibit 22** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH000864 (Saudi Economic Survey, dated October 13, 1999);
- **Exhibit 23** is a true and accurate copy of a document produced by the Muslim World League defendants bearing bates stamp MWL 088921 (Communication to Dr. Hassan Al-Ahdal from Ghulamar Rahman, dated January 14, 1997);

- **Exhibit 24** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 019079 (Excerpt of Muslim World League 2001 Annual Report);
- **Exhibit 25** is a true and accurate copy of a document produced by the International Islamic Relief Organization defendants bearing bates stamp IIRO 63672 (Communication re meeting in Jeddah May 1 through May 3, 1994);
- **Exhibit 26** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH000866 (Saudi Gazette news article, dated November 4, 1998);
- **Exhibit 27** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 019232 (Excerpt from Sana-Bell, Inc.'s Articles of Incorporation; full text at Exhibit 16);
- **Exhibit 28** is a true and accurate copy of a document produced by the defendant Dr. Abdullah bin Saleh A-Obaid bearing bates stamp Al-Obaid 0001 - 0005 (Biography of Dr. Abdullah bin Saleh Al-Obaid);
- **Exhibit 29** is a true and accurate copy of a documents produced by the plaintiffs bearing bates stamps ASH 019079 - 019080 (Excerpt from Muslim World League 2001 Annual Report);
- **Exhibit 30** is a true and accurate copy of a document produced in the litigation bearing bates stamp Basha 0001 (Adnan Khalil Basha's resume);
- **Exhibit 31** is a true and accurate copy of a document produced by Muslim World League on a hard drive (Letter to Lyutha Al-Mughairy from Dr. Saleh H. Al-Sagri, dated July 16, 1998);

- **Exhibit 32** is a true and accurate copy of the July 2005 Term at Alexandria Indictment, *United States of America v. Abdullah Alnoshan and Khalid Fadlalla*, Case No. 1:05-cr-335, dated July 26, 2006 (BUR PEC 013414);
- **Exhibit 33** is a true and accurate copy of a document produced in the litigation bearing bates stamp KMR - 02146 (Letter to Dr. Yaqub Mirza from Dr. Mohammad Abdo Yamani, dated April 4, 1998);
- **Exhibit 34** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp BUR PEC-014010 (Excerpt of list of International Islamic Relief Organization donors);
- **Exhibit 35** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH004509 - 004510 (Excerpt from International Islamic Relief Organization's Addendum to Internal Revenue Service Form 1023);
- **Exhibit 36** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 019292 - 019313 (Composite collection of documents identifying Sanabel al Kheer officers and directors);
- **Exhibit 37** is a true and accurate copy of a document produced by the Muslim World League defendants bearing bates stamp MWLIIRO 00022329 (Letter to Mr. Shafiq Ahmad from Mohamed Siraj Saleh, dated June 1, 1995);
- **Exhibit 38** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 019011 (Record identifying Abdelmoniem ElHillali's business association with Muslim World League);
- **Exhibit 39** is a true and accurate copy of a document produced by the defendant Muslim World League bearing bates stamps MWL 008710 (Letter to Dr. Abdulla

bin Abdul Muhsen Al-Turki (Muslim World League) from Ruud Lubbers (United Nations), dated October 22, 2002);

- **Exhibit 40** is a true and accurate copy of documents produced by the defendants Sana Bell, Inc. bearing bates stamps Sana-Bell 003791-003793 (Employment Agreement & Contract, dated July 30, 2004);
- **Exhibit 41** is a true and accurate copy of a document produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 004131 (Excerpt from 2007 Internal Revenue Service Form 990);
- **Exhibit 42** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 023688 (Statement of Accounts from August 7, 1990 to April 30, 1993);
- **Exhibit 43** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 028495 (Letter to Dr. Yaqop Merza (Sana Bell) from Dr. Abdul Rahim Al-Sa'Ati(International Islamic Relief Organization));
- **Exhibit 44** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 022630 - 022631 (Letter to Mr. E. Akkad from Mr. Salah Soliman, dated April 12, 1993);
- **Exhibit 45** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 022563 (Excerpt from Bank Reconciliation Register from March 1, 1993 to March 31, 1993);
- **Exhibit 46** is a true and accurate copy of documents produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 003307 - 003317 (Excerpt from Dr. Hillali's interview with the Internal Revenue Service);

- **Exhibit 47** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 021948 - 021929 (Communications dated May 4, 1999 and April 24, 2000 regarding Sana Bell, Inc. legal fees);
- **Exhibit 48** is a true and accurate copy of a string of e-mail correspondence from August 20, 2012 through September 28, 2012 between Sean Carter, Chris Manning, and Scott Tarbutton;
- **Exhibit 49** is a true and accurate copy of documents produced by the plaintiffs (Articles of Incorporation for Sanabel al Kheer, Inc.);
- **Exhibit 50** is a true and accurate copy of documents produced by the plaintiffs (Articles of Incorporation for Muslim World League);
- **Exhibit 51** is a true and accurate copy of a document produced by the defendants bearing bates stamp NL 0016571 (indicating Muslim World League and International Relief Organization sharing Sanabel fax number);
- **Exhibit 52** is a true and accurate copy of a document produced by the defendants bearing bates stamp NL 0016593 (Fax cover to Sandra Spalletta from Dr. Hassan Bahafzallah, dated September 28, 1998);
- **Exhibit 53** is a true and accurate copy of a document produced by the defendants bearing bates stamp NL 0016602 (Fax cover to Mr. Isam Akkad from Fawzi Abdulsttar, dated September 28, 1995);
- **Exhibit 54** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 000741 (Excerpt from *Sana-Bell, Inc. v. BMI Real Estate Development, Inc., et al.*, Case No. PJM 98-4147);

- **Exhibit 55** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 018588 (Excerpt from Sana-Bell, Inc. by-laws);
- **Exhibit 56** is a true and accurate copy of a document produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 004341 (Excerpt from Sanabel al Kheer by-laws);
- **Exhibit 57** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 018958 (Excerpt from Ladova II Articles of Incorporation);
- **Exhibit 58** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 021728, ASH 021763, ASH 021854 (Excerpt from Deposition of M. Yaqub Mirza, dated October 25, 1999);
- **Exhibit 59** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 023358 (Insurance Premium Statement to International Islamic Relief Organization and Sana-Bell, Inc., dated February 8, 1994.
- **Exhibit 60** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 022932 - 022933 (Fax to Al Salamu Alikum from Dr. Abdulrahim Al Saati, dated December 19, 1994);
- **Exhibit 61** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 023486 (Faxed letter to Dr. Hassan Bahafzallah from M. Yaqub Mirza, dated April 29, 1999);
- **Exhibit 62** is a true and accurate copy of a document produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 003281 (Letter to Mr. Sameer Al-

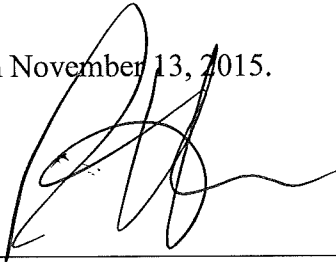
Raddi (International Islamic Relief Organization) from Dr. Adbul Hillali (Sanabel), dated November 27, 2009);

- **Exhibit 63** is a true and accurate copy of a document produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 000226 (Letter to Mr. Adbel Hillali (Sanabel) from Dr. Adnan Basha (International Islamic Relief Organization));
- **Exhibit 64** is a true and accurate copy of documents produced by the plaintiffs, screenshots from the International Islamic Relief Organization 1996 website;
- **Exhibit 65** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 026880 (Letter to Dr. Yaqub Mirza (Sanabel) from Dr. Mohammad Abdo Yamani (Muslim World League Sanabell Committee), dated April 22, 1998);
- **Exhibit 66** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 022247 – 022249, 022361, 022367, 022327 (Composite collection of documents referencing International Islamic Relief Organization's control in Sanabel activities);
- **Exhibit 67** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 022430 (Letter to Dr. M. Yaqub Mirza (Sanabel) from Dr. Abdulrahim Al Saati (International Islamic Relief Organization));
- **Exhibit 68** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 022431 (Letter to Dr. M. Yaqub Mirza (Sanabel) from Dr. Abdulrahim Al Saati (International Islamic Relief Organization));

- **Exhibit 69** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 022116 - 022117 (Letter from M. Yaqub Mirza to Dr. Abdul Rahim Al Saati, date November 24, 1992);
- **Exhibit 70** is a true and accurate copy of documents produced by the plaintiffs bearing bates stamps ASH 022121, 022141 (Checks dated November 25, 1992);
- **Exhibit 71** is a true and accurate copy of a document produced by the plaintiffs bearing bates stamp ASH 023447 (Letter to M. Mirza from Dr. Hasson Bahafzallah, dated June 3, 1999);
- **Exhibit 72** is a true and accurate copy of a document produced by the defendants Sana Bell, Inc. bearing bates stamp Sana-Bell 004461 (Sanabel al-Kheer, Inc. Corporate Resolution).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 13, 2015.

A handwritten signature in black ink, appearing to be 'R. Haefele', written over a horizontal line.

Robert T. Haefele